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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,496	09/29/2004	Hideyuki Narusawa	Q83767	4044

23373 7590 10/04/2006
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EXAMINER

CHAU, MINH H

ART UNIT PAPER NUMBER

2854

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/509,496

Applicant(s)

NARUSAWA ET AL.

Examiner

Minh H. Chau

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/29/04 & 11/29/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-31** are rejected under 35 U.S.C. 102(b) as being anticipated by ***Takahashi*** (US Pat. # 6,504,960).

With respect to **independent claims 1 and 11-13**, ***Takahashi*** teaches a device (21) and method enabling a printer (22) to print a page with a desired design and computer program comprising association means for associating an image area in a page layout containing the image area disposed on a page, and a specified image (Figs. 1-3 and cols.4-5, and print job file creating means for creating, on the basis of the association, a print job file that renders a print job for printing a page on which the specified image is applied to the image area and a printer that performs printing on the basis of the print job file(see Figs. 3-8 and cols. 5-7).

With respect to **claim 2**, see Figs. 3-8 and cols. 5-8 of ***Takahashi*** that teaches in response to a user request, the association means associate the name of a file of the page layout and the name of an image file of an image desired by the user.

With respect to **claim 3**, see cols. 2-5 of ***Takahashi*** that teaches the device is a digital camera and the association means perform the association during photography.

With respect to **claim 4**, see col. 8 of *Takahashi* that teaches page layout display means for displaying the page layout on a display device and camera visual field display means that allow a user to view the visual field of a digital camera via an image area of a page layout displayed on the display device and the association means associate a page layout displayed on the display device and an image file of the photograph taken.

With respect to **independent claims 5 and 14**, *Takahashi* teaches a printer and printing method comprising means for acquiring a print job file representing a print job for printing a page on which an image is associated with an image area in a page layout containing the image area disposed on the page and printing means that perform printing on the basis of the print job file thus acquired (see Fig. 9 and col. 10).

With respect to **claim 6**, see col. 10 of *Takahashi* that teaches storing means on which the layout file describing the page layout is stored.

With respect to **claim 7**, see Figs. 6-8 and cols. 9-10 of *Takahashi* that teaches the layout file describing the page layout, and the print job file are both supplied from the outside.

With respect to **claim 8**, see Figs. 1-9 and cols. 4-10 of *Takahashi* that teaches the print job file has a plurality of image areas which the page layout comprises and association information for placing images in the plurality of image areas; and the printing means print a page on which images are disposed in each of the plurality of image areas on the basis of the association information.

With respect to **claim 9**, see Figs. 5-9 and cols. 6-10 of *Takahashi* that teaches a plurality of layout description sections are contained in the print job file, and each layout description section contains layout identification information serving to identify a layout file describing the page layout, and image identification information serving to identify an image file of an image associated with an image area of the page layout; and the printing means print a page on which the image is disposed on the basis of the descriptive content for each of the layout description sections.

With respect to **claim 10**, see Figs. 5-9 and cols. 6-10 of *Takahashi* that teaches the print job file contains one or more items of file identification information serving to identify each of one or more data files, and a specified code, and the one or more items of file identification information is (are) contained in a predetermined range within the print job file; and, upon detecting the specified code, the printing means handle a data file, which is identified from a predetermined file identification information item among one or more file identification information items within the predetermined range, as a layout file representing the page layout, and handle a data file, which is identified from another file identification information item, as the image file of the image.

With respect to **independent claims 15 and 25**, *Takahashi* teaches a data structure of a print job file that can be parsed by a printer, comprising layout identification information serving to identify a layout file defining a given page layout containing one or more image areas, in which a decorative part image is associated with a predetermined location of this page layout and image identification information serving to identify an image file of a specified image (Figs. 3-9 and cols. 7-10).

With respect to **claim 16**, see Figs. 7-8 of *Takahashi* that teaches the image area and image identification information are associated.

With respect to **claim 17**, see Figs. 6-8 of *Takahashi* that teaches a plurality of items of image identification information.

With respect to **claim 18**, see Figs. 7-8 of *Takahashi* that teaches an identifier, which indicates a break for each page, and one or more items of image identification information that is (are) associated with the image areas of each page, are matched with respect to a single item of layout identification information.

With respect to **claim 19**, see Figs. 7-8 of *Takahashi* that teaches there is only ever one item of layout identification information.

With respect to **claim 20**, see Figs. 7-8 of *Takahashi* that teaches a plurality of items of layout identification information is included.

With respect to **claim 21**, see Figs. 7-8 and cols. 5-6 of *Takahashi* that teaches description relating to printing conditions desired by a user.

With respect to **claim 22**, see Figs. 6-8 of *Takahashi* that teaches at least one of the page layout and the print job file is a file that is described by means of a text file or Markup language.

With respect to **claim 23**, see Figs. 6-9 and cols. 7-10 of *Takahashi* that teaches a plurality of layout description sections are included; each layout description section contains the layout identification information (Fig. 7), and image identification information for an image associated with an image area of a page layout represented by a layout file that is identified from the layout identification information (Fig. 8); and a

printer is thus enabled to print a page on which an image is disposed on the basis of the descriptive content of each of the layout description sections.

With respect to **independent claim 24**, *Takahashi* teaches a data structure of a print job file that can be parsed by a printer (see Fig. 5 and col. 10), comprising a specified code (data file code that can be read or communicate between devices); and one or more items of file identification information serving to identify each of one or more data files (Figs. 6-7), wherein the specified code allows a printer that detects the specified code to handle a data file that is identified from a predetermined file identification information item among the one or more file identification information items as a layout file representing the page layout, and to handle a data file that is identified from another file identification item as the image file of the image (Figs. 5-7 & cols. 9-10)

With respect to **independent claims 26 and 28**, *Takahashi* teaches a system (Fig. 5) and a method comprising a data source (21) that outputs a print job file (Fig. 6); and a job file acquisition device (22) for acquiring the print job file from the data source, the print job file contains layout identification information serving to identify a layout file defining a given page layout containing an image area (Figs. 7-8), and image identification information serving to identify an image file of a specified image (Fig. 7); and the job file acquisition device (22) obtains and parses the print job file that is output by the data source and acquires and saves the layout file that is identified from the layout identification information contained in the print job file, as well as the image file that is identified from the image identification information contained in the print job file (see Figs. 5-9 and cols. 5-10).

With respect to **claim 27**, see Figs. 5-9 and cols. 7-10 of *Takahashi* that teaches the data source is a digital camera (21); the job file acquisition device is a printer (22); and the printer prints an image corresponding with the acquired image file in accordance with a page layout designated by the layout file thus acquired.

With respect to **independent claim 29**, *Takahashi* teaches a data source device (21) that is capable of communicating with a job file acquisition device (22) (Fig. 5) capable of acquiring a print job file, the print job file containing layout identification information serving to identify a layout file defining a given page layout containing an image area (Figs. 7-8), and image identification information serving to identify an image file of a specified image (Fig. 7), the data source device comprising means for outputting a print job file to the job file acquisition device (Fig. 5); and means enabling the job file acquisition device to acquire and parse the print job file thus output and to acquire and save a layout file that is identified from the layout identification information contained in the print job file, as well as an image file that is identified from the image identification information contained in the print job file (see Figs. 5-9 and cols. 5-10).

With respect to **independent claim 30**, *Takahashi* teaches a job file acquisition device (22) that is capable of communicating with a data source (21) (Fig. 5) on which a print job file is saved, the print job file containing layout identification information serving to identify a layout file defining a given page layout containing an image area (Figs. 7-8), and image identification information serving to identify an image file of a specified image (Cols. 9-10), the job file acquisition device comprising means for acquiring the print job file that is output from the data source (Fig. 5, and col. 10); and means for parsing the

print job file thus acquired and or acquiring and saving a layout file that is identified from the layout identification information contained in the print job file, as well as an image file that is identified from the image identification information contained in the print job file (see Fig. 5-9 and cols. 5-10)

With respect to **independent claim 31**, *Takahashi* teaches a method for acquiring a print job file (71) containing layout identification information serving to identify a layout file defining a given page layout containing an image area (Figs. 7-8), and image identification information serving to identify an image file of a specified image (cols. 9-10), comprising a step in which a print command device (Fig. 5 and cols. 9-10) proactively transmits the print job file to a job file acquisition device and a step in which the job file acquisition device proactively acquires a layout file and image file from a data source on the basis of the print job file thus received from the print command device (see Figs. 5-9 and cols. 9-10)

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Applicant's attention is invited to the patents to Kasai et al. (JP 11-055605), Parulski et al. (US Patent # 7,038,714), Ogiwara (Publication No. US 2005/0111042 A1) and Kitahara et al. (Publication No. US 205/0174600 A1).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh H. Chau whose telephone number is (571) 272-2156. The examiner can normally be reached on M - TH 9:30AM - 8:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MHC
October 02, 2006


MINH CHAU
PRIMARY EXAMINER